

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
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BANK OF AMERICA, N.A.



Order Filed on June 28, 2018 by
Clerk U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-10916 JNP

In Re:
Susan A. Smith, Craig E. Smith
Debtors.

Adv. No.:

Hearing Date: 6/19/18 @ 10:00 a.m.

Judge: Jerrold N. Poslusny, Jr.

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: June 28, 2018

A handwritten signature in black ink, appearing to read "Jerrold N. Poslusny, Jr.", is placed over a horizontal line. Below the line, the name is typed in a standard black font.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

(Page 2)

Debtor: Susan A. Smith, Craig E. Smith

Case No: 17-10916 JNP

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, BANK OF AMERICA, N.A., Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 708 Society Hill Boulevard, Cherry Hill, NJ, 08003, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Jeffrey E. Jenkins, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of June 11, 2018 Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due April 2018 through June 2018 for a total post-petition default of \$5,124.10 (3 @ \$1,745.10, less suspense balance of \$111.20); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$5,124.10 will be paid by Debtor remitting \$854.00 per month for five months and \$854.10 for one month in addition to the regular monthly mortgage payment, which additional payments shall begin on July 1, 2018 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume July 1, 2018, directly to Secured Creditor's servicer, Bank of America, N.A., P.O. Box 660933, Dallas, TX 75266 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
 Susan A. Smith
 Debtor

Case No. 17-10916-JNP
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Jun 28, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 30, 2018.

db +Susan A. Smith, 708 Society Hill Blvd, Cherry Hill, NJ 08003-2422

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 30, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 28, 2018 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
 Eric Clayman on behalf of Debtor Susan A. Smith jenkins.clayman@verizon.net, connor@jenkinsclayman.com
 Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
 Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
 Jeffrey E. Jenkins on behalf of Debtor Susan A. Smith jenkins.clayman@verizon.net, connor@jenkinsclayman.com
 Marlena S. Diaz-Cobo on behalf of Creditor Society Hill Condominium Association, Inc. collections@theassociationlawyers.com
 Stephanie F. Ritigstein on behalf of Debtor Susan A. Smith jenkins.clayman@verizon.net, connor@jenkinsclayman.com
 U.S. Trustee USTPRegion03.NE. ECF@usdoj.gov

TOTAL: 8